

SCAAC Meeting Summary and Minutes

(School Curriculum, Assessment, and Accountability Council)

January 27, 2003
 State Board Room
 Capital Plaza Tower, Frankfort, Kentucky

Committee Members:

Margie T. Bradford Dale Campbell Kay Freeland Suzanne Guyer Varetta D. Hurt Benny Lile, Chairman	Gary Mielcarek Eleanor Mills Henry Ormsby Roger Pankratz Robert Sexton Linda Sheffield	H. M. Snodgrass Nancy S. Sutton Roxie R. Tempus J. Maynard Thomas, Vice-Chairman One (1) Open Position
-----------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

SCAAC Agenda

	Agenda Items	Presenters
	Call to Order	Benny Lile
1.	Roll Call	Roger Ervin
2.	Approval of December 6, 2002 Meeting Summary and Minutes	Benny Lile
3.	No Child Left Behind Act of 2001 (NCLB) - Review of issues	Scott Trimble
4.	Change in Testing Regulations for Double Promotion Students	Benny Lile
Adjournment		

Call to Order**Benny Lile**

Chairperson Benny Lile called the meeting to order at 9:04 a.m.

1. Roll Call**Roger Ervin**

The membership roll was called with the following members present:

Margie Bradford
Dale Campbell
Kay Freeland
Suzanne Guyer

Varetta Hurt
Benny Lile
Gary Mielcarek
Eleanor Mills

Linda Sheffield
H. M. Snodgrass
Roxie Tempus

Presenters:

Scott Trimble, Office of Assessment and Accountability, Kentucky Department of Education

In Attendance:

Kentucky Department of Education: Roger Ervin, Lois Adams-Rodgers, Gene Wilhoit, Catherine Wright

Kentucky Education Association (KEA): Sharon Felty Comer

Legislative Research Commission, Office of Education Accountability: Gerald Lunney

Pritchard Committee for Academic Excellence: Cindy Heine

2**Approval of December 6, 2002 Meeting Summary and Minutes****Benny Lile**

SCAAC member comments:

Benny Lile shared with the committee that Maynard Thomas is iced in his home and is unable to make the meeting, Roger Pankratz is in New Orleans and also is not able to attend. Both send their apologies.

Benny Lile is assuming that the committee members have not had the opportunity to review the minutes thoroughly and we will put the approval off until around lunchtime. He thanked the members for making the special extra effort of getting to the meeting and working

through all the meeting changes that happened over the past week. He also thanked Catherine Wright for getting everything organized.

Benny Lile brought the members up-to-date. He was here about a week to week-and-half ago at the State Board work session on No Child Left Behind. It became apparent that there was still some work to be done and some comments to be made on Kentucky's plan that has to be submitted to the federal government by Friday, January 31, 2003. Our meeting was originally scheduled for Friday, so it would not have done us a lot of practical good to come and make comments on a document that was finished and already on its way to Washington. Hence we moved the meeting up to do this. Hope you received the e-mail and had the opportunity to scan the five states that have already been approved as this gives us a good starting point to look at what we have for Kentucky.

Benny Lile would like to add one item to the agenda that has come up in the past week or so. It is a request from the Department to change some of the testing regulations as it applies to skipping years or double promotion. As of right now, if a student skips a grade or passes over a grade, they have to be tested for the grade they have skipped. If a student goes from fifth grade to seventh grade then in their seventh grade year they have to take the sixth grade test. There has been a proposal put forward to change that.

3	No Child Left Behind Act of 2001 (NCLB) - Review of issues	Scott Trimble
----------	-------------------------------------------------------------------	----------------------

SCAAC member comments:

Benny Lile asked committee members to look at a document in their packet, a working draft of the Kentucky Consolidated State Application Accountability Workbook. The document is marked Draft, so the comments here can be changed. The federal regulation calls for citizen input by a variety of stakeholders. Last week, the State Board informed us that we are that body. We literally are in the federal statute.

KDE staff presentation:

Scott Trimble opened the discussion by providing some history of the No Child Left Behind act. This bill has been in the federal legislative process for some time. President Bush signed the law in January 2002 just across the river in Hamilton, Ohio. The bill is on a fast track and calls for extremely tight timelines, both on the part of Washington and the part of states. It called for certain regulations to be out by July 2002, which is faster that Washington has ever produced regulations. They did produce some regulations by July and some additional regulations were released just before Thanksgiving that provides some guidance on how to develop this plan.

In addition, Secretary Paige has released a letter that we have talked about previously. In the letter, Secretary Paige has identified ten principles that are critical that states are able to respond to in terms of both assessment and accountability. From this the federal

government has developed what has become to be known as the Adequate Yearly Progress workbook which is pretty much the members have in front of them. The document is currently 185 pages in length.

For this meeting, we have provided the first 60 pages that are the primary components. The remaining pages are attachments and other legal documents that we are proposing to submit. We are required to submit the plan by this Friday, January 31, 2003. The document was just finished this past Thursday. It considers the Board's input from the last State Board meeting. We will submit the plan this Friday. The statute has a peer review stage which is the review of this plan. Staff from the USDOE and someone selected from another state, which typically is one person, will come to Frankfort. For about a day the peer review team will meet with representatives of the Department, which will be determined by Education Commissioner Gene Wilhoit. The Kentucky team membership can be done in different ways. Some states have just had a handful of people in the room with the whole Department on call. Some states had a rather large congregation with representatives from the Governors office.

The review will happen between now and April 30. Washington will take the advice of the peer review person and go back and consider all that we have presented and then they will come back with their reaction with our plan. The statute provides a period of time where they tell us what they would like to see differently in our plan and we explain whether or not we think we can do that or why we can't do that. This negotiation phase is a real critical phase in terms of what Kentucky's assessment and accountability program looks like in the end. How the state requirements are meshed with the federal requirements. All this has to be done, at least by statute, by May 31, 2003.

We are under the understanding from our State Board of Education that there is a certain way we need to present our plan and that is what we are going to go over today and get your input. We are also very clear that any substantive changes this plan would need to go back to our Board of Education for their consideration and review. The Board is not relinquishing its responsibility for the state accountability system, state assessment program, or the way these things eventually merge together with the federal program.

Scott Trimble asked members to turn to page 6 and 7 of the document. These pages are the: Summary of Implementation Status for Required Elements of State Accountability Systems. The ten principles are listed here and the various sub-points under each of the ten principles. In the left hand column where we think Kentucky is on each of the areas. You would put an "F" in if you thought you were in full compliance, a "P" if you thought you are in partial compliance and had a few details to work out, and a "W" if you thought you had some significant details to work out, basically some work to be done categories. You can see that we do not feel that we are in full compliance with everything at this particular point in time. With the five plans that have been approved, there was some partial compliance fields with detail later on as to what the State Department's of Education needed to accomplish to become fully compliance. It is not expected to have all the categories "F's" when you turn it in. On the other hand, by May 31st, there is an expectation

that there will be all “F’s” in these columns or all “F’s” and some “P’s” with a clear understanding what the state’s are going to do to come into full compliance and a timeline for that. This is a summary of the material we are about to look at.

We will start on page 9 with Principle 1 and its sub-parts 1.1 through 1.6. We will cover where we are on each of the bullets and what they mean. We will devote most of the time to the key items and briefly cover the items that do not have a strong bearing on the overall success of the plan. The document is organized into a three column approach where the left column is the Principle, some way states can meet the expectation is in the center column, and some criteria for what might not be acceptable in the third column.

PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.

1.1 How does the State Accountability System include every public school and LEA in the State?

KDE staff presentation - Scott Trimble:

Principle sub-part 1.1 starts on page 9 and is basically asking how we include every public school in a single accountability system, and every local education agency (LEA), which is a synonym for district. We have begun to describe our accountability system, perhaps in a little more detail than what they have expected. It describes our current accountability system and it is our contention that we do have a single accountability system. It does apply to all public schools and later on in another section we will talk about district accountability. One of the things we do not deal with perhaps as well as the statute is going to require in the end is district accountability, but it is more related to how we are accountable for sub-populations. This is background about our accountability system.

SCAAC member comments:

Members had no questions or comments.

1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?

KDE staff presentation - Scott Trimble:

Principle sub-part 1.2 begins to describe how all schools and LEAs are held to the same standard. AYP is the federal abbreviation for Adequate Yearly Progress. If you want to think of ways that might parallel our accountability system, we require a certain amount of growth on the accountability index of all schools from the year 2000 to 2002 to 2004 etc. So we establish adequate yearly progress in a biennial way. You can think of our growth chart as establishing what we currently think of as adequate yearly progress and is consistent what federal statute and regulation requires in a certain sense. We will talk about some of the minor discrepancies later in the plan. What we have to think about is

how we communicate to Washington is that we hold all schools and all districts to the same standard. All schools and all districts need to be to a accountability index of 100 by the year 2014. This is also the end year in the federal legislation. However, we do establish different starting points or different baselines for schools. We require schools closer to 100 to make relatively small increments as compared to schools far from the accountability goal of 100.

SCAAC member comments:

Members had no questions or comments.

1.3 Does the State have, at a minimum, a definition of basic, proficient and advanced student achievement levels in reading/language arts and mathematics?

KDE staff presentation - Scott Trimble:

We feel principle sub-part 1.3 is very simple for us to comply with. Does the state accountability system have a way of establishing three standards: basic, proficient, and advanced. The feds actually established four standards just like we have. The National Assessment of Educational Progress (NAEP) quite often speaks of advanced, proficient, and basic levels of performance and they then talk about the fourth one which is below basic. This is very equivalent to our Distinguished, Proficient, Apprentice and Novice. We do not believe there is going to be any argument about that in our system.

SCAAC member comments:

Members had no questions or comments.

1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?

KDE staff presentation - Scott Trimble:

Principle sub-part 1.4 is the first place on the implementation status that we have a “W”, working to formulate policy. When you read No Child Left Behind language, and read the regulations that resulted from that, and when you read the letters where they like to talk about the regulations, it is very clear that the federal government want all assessment data returned to a school prior to the beginning of the next school year. This is very much related to how consequences for failure to perform or failure to make adequate yearly progress are applied. No one else seems to be too concerned about this. When you actually read the language that is in the law, it not only says that you have to have all data back before the beginning of the next school year. You have to have all data back in time for a school to appeal the performance judgment, in our language. In the federal language a school has to have enough time to appeal their annual yearly progress classification to the local education agency, not to the state. We are still trying to figure out if they really mean LEA or is it the state?

The real purpose for all of this is so that parents can make decisions about what they want to do with their children in schools that are not considered to have made annual yearly progress for two years. If school does not make adequate yearly progress for a third year, then parents have a right to insist on supplemental instructional services.

SCAAC member comments:

Benny Lile adds that you then go down the line of district responsibility for running the school.

SCAAC member comments:

Scott Trimble indicates that we have taken the position that we should test as late in the school year as we possibly can. I think everyone in this room agrees that if we are going to be held accountable for achievement and performance within a particular school year, the students need to have been in school as long as they possibly could have before tested them. We also believe that a assessment system has to models to the most reasonable degree the kind of instructional program that deals with the breath of your core content. We believe the assessment system must consist of both multiple choice and open response items that deal with breath of our core content with application of high order thinking skills. We cannot figure out how to test near the end of the school year and return that kind of quality data before the beginning of the next calendar year. Our view is that we are returning that kind of data as quickly as is reasonable which will be sometime in late September. We will make the school performance judgments then and there will be an appropriate time for schools to review and if necessary appeal performance judgments. There would be an appropriate amount of time for parents to understand the judgment that has been made about their school. If their school has not made adequate yearly progress for two consecutive years and an appropriate amount of time for them to decide what they want to do with their child in the beginning of the next school year. No one in Frankfort would ever disagree with getting test data back as quickly as physically possible. On the other hand we think that the data we return has to be of quality and substance.

SCAAC member comments:

Benny Lile commented that not only on this piece, but all thorough the document, there are a number of issues on the table. One is certainly the merit of the system that we currently have in place. The adequacy of that system, the continuity that we have had for the number of years the system has been place. This is a political process. We may not like it or may not want to admit it. Anything where you have people on different sides of isle saying Aye and Nye ends up being political. This will end up as much in the negotiation phase as it will the merits of the system itself. To say how the information is presented and things we say are important.

My first comment is that I am a very strong believer in saying what you have to say. Answer the question right out of the gate in either yes, no, or whatnot. We answer the question here that Kentucky is in compliance. I'm trying to put myself in case of one of those peer reviewers who is going to be looking at this document in a month or so. Are they going to

that and read the next line that says that schools will receive their scores in late September. Are we setting a defensive mindset right out of the gate? If I'm the reviewer, I'm already seeing that Kentucky is not in compliance, even though the sentence earlier says that they are. I think we are in compliance in spirit, but what has been relayed to us from Department staff trips to Washington is that spirit has not counted for a whole lot.

My thought in the last sentence where NAEP gives a six month turnaround, you may recall that NAEP is referenced often when the NCLB piece was being put together. I think we should highlight that in the first paragraph. The other one is Indiana that does fall testing and the schools get their scores back in the fall but the judgment is not made until later on. We may be able to reference what has already been approved for Indiana because they are doing the same thing we want to do. They are just giving a Fall test; we are giving a very late Spring test, but the time tables end up being almost the same.

Will it be appropriate to reference these other states that have been approved in our application?

KDE staff comments:

Scott Trimble said that Lois Adams-Rodgers was at the same meeting as I was. It probably is not ok to say that because you approved it in Indiana you should approve it here. But on the other hand to reference what did happen in Indiana and make the linkage between the reasons in Indiana and why those reasons apply here is appropriate.

Lois Adams-Rodgers said that this is a contextual thing that we were told in D.C. That was for all states to make your case and present your data. Be clear about what you are bringing to the table. This was a critical overriding statement that each of the states made. That has been the motive of operation as we have been trying to put this together. What data do we have to support, the fact we believe we are in compliance with this. Because the issue is that the words are in a timely manner and it relates to how you define academic year. I don't have a problem with referencing something that has already been approved and that may be in the form of our negotiations or conversations about it. Because of the peer review process you have the opportunity to respond and answer those questions and really make your case.

SCAAC member comments:

Benny Lile asked if the Department knows who the peer review people are and how they will be educated? Will they have been schooled in those five plans so that they know what has already been approved?

KDE staff comments:

Lois Adams-Rodgers responds that one individual from Ohio serves on the peer review. Many are local folks. There is a cadre from the US Department of Education that also accompanies the peer review team. My sense is that they have gone under a little training but do not know how extensive. I'm sure all will have looked at five approved state plans. Our best case will come out in our conversations in the negotiations. That is where you put

your skills on the table and the resources to make your case. This is draft 14 of the document. It was 280 pages at one time, so we have tried to be concise about leading with what we believe is important. We can add these things in, that is certainly possible.

Gene Wilhoit was asked and had no additional comments.

SCAAC member comments:

Benny Lile asked if someone could comment on how Massachusetts is attacking this. .

KDE staff comments:

Scott Trimble explained that Massachusetts is doing something that is creative. Massachusetts has an assessment that is both multiple choice and open response. This is my understanding, but I need to follow-up further with Massachusetts to make sure I am correct. They plan to use the multiple choice component of their assessment to predict whether or not a school made AYP in the following year. They can turn the multiple choice data and the prediction around and have the data to the school, maybe not in time for an appeal, but prior to the start of the next school year. The thought is that those decisions will be 60, 70, 80, 90 percent correct. We do not know the exact percent yet. So if a school is determined to not have made AYP for a second consecutive year using this predictive model, then the consequences of not having meeting AYP will be applied to that school for the full year. Later on in November, my words, not Massachusetts, the quality judgment will be sent and it includes both the multiple choice and open response items. They will be correcting their estimate of whether or not you made AYP based on the inclusion now of open response component. If they made a wrong decision on about you not making AYP for a second consecutive year, there will be sort of an apology. But you will continue to comply with that because at that point of time it would not be useful to take students out of schools that they have transferred to and move them back to the school. At the same time, if they found out that they thought you had made AYP based on the multiple choice and you didn't, I'm not clear on how they will deal with it. I suspect they will begin to implement the consequences as soon as they can.

SCAAC member comments:

Linda Sheffield asked if we had any idea whether that happened there because they were judged not to be in compliance and so they then came up with that method.

Benny Lile inquired if it came out of negotiations or did Massachusetts just do that right out of the gate?

KDE staff comments:

Scott Trimble responded that they really were not all that clear on when in the process it happened, but it was clear to me that this was not their first choice. It must have come out of some sort of negotiation.

SCAAC member comments:

Linda Sheffield says that our suggestion is that because we get the scores back later, that it actually is the following year that the consequences would take affect. If we start with the statement saying that Kentucky is in compliance assigning a “W” doesn’t seem to go together.

KDE staff comments:

Scott Trimble responded that we think we start with the statement that we are in compliance and then go ahead and say why we think we are in compliance with the spirit. The “W” is on the recognition that we will always try to work with the contractor and other decision makers to figure out how shorten the turnaround time to the degree possible.

Gene Wilhoit felt this was a good point and we would continue to work with the contractor even if we weren’t in compliance. He is in agreement that the two statements seemed to be at odds. Gene Wilhoit thinks that we should change it to a “P” or “F”.

SCAAC member comments:

Benny Lile asks if there is a way to reference the Fall testing issue without necessarily calling out Indiana by name. We could literally move this test from May to the first week of August and be in compliance as Indiana did just like that. I am not advocating, but if you moved testing to the Fall, we have up to 11 months to report data. Since we chose to test in May, we are only given two months to report data.

Suzanne Guyer says that when schools get their data, we try to have a longer time to have remediation than Indiana. When Indiana got their scores, meet with the parents, and by August have decision to make. Whereas we try to give a full year in order to give true adequate yearly progress.

KDE staff comments:

Gene Wilhoit says that was where we were trying to go with this rational. I may not come through in that directly. Basically what we were saying is we trigger this with the year you receive the information. We will have in place a comprehensive process and a calendar for that to occur at the local building level that will flow up to the district. For actions to occur, notification will happen in the Spring for the next year so parents can make decisions and staffing is determined. We feel comfortable with the cycle we have laid out. It may not be their definition.

SCAAC member comments:

Benny Lile feels that you build on testing at the end of an academic period which is at the end of a school year. Should get more accurate data at the very end of a term as opposed to Fall data.

Suzanne Guyer feels that Massachusetts sort of got around it by saying we will take what we got and I think it will be a very messy system. I don’t think we ought to try that one.

Benny Lile has asked Department staff that when it gets into the negotiation process and this fails and other things fail, is this a type of option that we have on the table.

KDE staff comments:

Gene Wilhoit says that if it gets that far, we will be back at this table and talking about these exact issues.

Scott Trimble says that by then we will have modeled this and will know how accurately we would have predicted the school performance judgment.

SCAAC member comments:

Benny Lile asked that if we get the scoring centers in place in Kentucky is there any way that reading and mathematics could be scored and get results back to the schools by mid-July?

KDE staff comments:

Scott Trimble responded that he seriously doubted it. It is something we would look at. and Gene Wilhoit – Back on table and here.

SCAAC member comments:

Benny Lile said that if we made this a priority, then we meet the letter of the law and then we can bring in the other academic indexes in.

KDE staff comments:

Gene Wilhoit feels that the normal development process occur in our schools and any choices be the result of that. – desire to get back in hands of schools

SCAAC member comments:

Linda Sheffield feels that this committee feels very strongly that the way we have it is the way we want it to be. Maybe sentences like Kentucky teachers support this time line. I think it is more than just support, we have even moved it back later this year than we had before. If there is a way to make that language stronger, especially if we are going to start out sentence of about in compliance, I sure would go with some other letter than “W”. I think has been requested strongly.

Eleanor Mills that the Indiana plan allows schools enough time to notify parents about public school choice. Do we need to insert our own little blurb that says exactly that. In essence we are reiterating what it said up there, we have to give time, allow choice. In this we have not come out in plain English common language and said that. We convince them with our words that we meet the timeline than whether than when compliant.

Benny Lile asked if the Indiana workbook says transfer beginning second semester or the next school year?

Eleanor Mills says next school year.

Benny Lile feels this makes a very strong argument for anybody to be able to do what we are doing. All we have to do is to switch are testing to the first week of August and we are fine. I don't think any one wants to do that, I don't.

KDE staff comments:

Scott Trimble indicates that he has made a note here that we could have made the choice to test at the beginning of academic year as opposed to the end.

SCAAC member comments:

Linda Sheffield wants to know in the second paragraph where we say after school scores are reported, each low performing school has until the start of the next academic and so on. The supplement educational services, do schools actually have to wait until the following year, or are those in place during that academic year?

KDE staff comments:

Scott Trimble responds that our extended school services (ESS) can be offered at any time and is not tied to a particular accountability decision. Supplemental educational services, if you have not met AYP for two consecutive years that we would implement the supplemental services at the beginning of the next school year as opposed to waiting for the third year.

SCAAC member comments:

Benny Lile says that the sentence Linda Sheffield just read, should be worded perhaps a little stronger. "Has until the start of the next academic year". Putting myself in the place of a peer reviewer, you get your scores in September and you may not tell a parent until the next July that the school did not perform well. Does it appear as if we are being evasive? Would saying the school will notify parents immediately of the performance judgment and will take the rest of the school year to set in place.

KDE staff comments:

Scott Trimble expands on this by saying that schools and the public are notified at the end of September, parents are notified through a formal report card in January and they have until the beginning of the next academic year to make a rational decision as to where they want to place their child. We report to the public the accountability decision that applies to a particular school in the end of September, the school has 45 days to review and appeal that decision. We report to parents formally through a report card in January as to how their school has been rated. Parents have from January till the beginning of the next school year to make a rational determination as to where they want to place their child if they have choice.

Lois Adams-Rodgers adds that Scott Trimble's words show that there is a clear intent for the decision points being made with the parents and being made in a rational way.

SCAAC member comments:

Suzanne Guyer refers to the second paragraph from the end. It looks like modified in statute and regulation in 1998. That was a modification based upon experience that we had since we started in the early 1990s. I don't see the thread through here. These are not just statements, these are things that have evolved from learning from building an assessment system. Maybe that is somewhere else.

KDE staff comments:

Scott Trimble says that he believes it is in other places, but if you believe it needs to be talked about more here. I'm not sure where it comes out as clearly as what you just said.

SCAAC member comments:

Suzanne Guyer is not talking about filler or just adjectives, but the fact that they understand that we have taken this process that they are going through and committed millions of dollars, millions of hours though out the state in refining a system to find out what works best for the state. I'm not sure that I have read that type of commitment in these pages yet.

Linda Sheffield said that if you said in that paragraph about it being initiated in 1990 and improved and modified in 1998.

Benny Lile brings up the change is statute that we had a reporting date of September 15th. A consensus decision was that we would not get this back by the beginning of the school year, but we were willing to sacrifice that for the type test we use. Then the 150 day rule literally pushes that back, and that was made consciously based on a lot of input that came from the districts. These statements just have not been merely said. This has gone over time, it has evolved, and we have found it better to do it this way. There has been a lot of very thoughtful change in this.

KDE staff comments:

Lois Adams-Rodgers points out that she believes the context has been addressed. We talk about history of the system and we did go back and forth on where do you put these pieces so you are setting in peoples mind what has taken place in point of time on page 10 and on page 11 in the middle of the page you start with what happen in 1998. We also thank the National Technical Advisory Panel for Assessment and Accountability and your group [SCAAC] are really critical components that other states don't have. A lot of words in small type.

SCAAC member comments:

Linda Sheffield feels that it is still worth mentioning, even on pages 10 and 11 when we say 1998 the Kentucky general assembly called for a new testing system, it sounds like we scraped the early system rather than we built on the earlier one using all of that knowledge to improve the system. I think we should say a little bit more there about the 1998, how the new system was really a refinement. I would keep saying in a few phrases through out the document.

Benny Lile says that he feels that is what Kay Freeland is saying is to keep the theme consistent throughout the document.

Kay Freeland says that Suzanne Guyer has made a good point. Is one person going to sit down and read through this whole document or are they going to divide it up and some people look at some standards and others look at other standards.

KDE staff comments:

Scott Trimble shares that the advice from the five states that have gone ahead of us and some others that have not been approved has been consistent in making the proposal the way your state wants it to work within your educational environment first and begin negotiations after that. Don't sacrifice the program before you have made your best proposal.

Lois Adams-Rodgers says that the suggestions are very helpful thought. You are saying to comeback and hit those points hard. That they should be considered non-negotiable for the state and why, what is the rational.

SCAAC member comments:

Linda Sheffield is still not clear on the supplemental education services. These reports come back by the end of September. Are those services going to be available during that year or they do have to wait until the following year?

KDE staff comments:

Scott Trimble says that the proposal that we are making is that if you have not made adequate yearly progress for two years, then supplemental services would be required at the beginning of the next school year. The federal language does not require that until the beginning of the third year. We are moving that component up a year.

SCAAC member comments:

Benny Lile asked Eleanor Mills what happens in Indiana added. Eleanor says that schools must meet with parents to discuss remediation plans for students who did not pass. Remediation begins the second semester of the school year. Remediation funds are provided by the state. Eleanor does not view ESS as the same as supplemental education services. She could be wrong but she thought the supplemental education services would be the private bonuses that you add on.

KDE staff comments:

Scott Trimble feels that ESS will not qualify as supplemental services.

SCAAC member comments:

Benny Lile states that the Indiana plan provides for supplemental services starting the second semester of the school year but transfer of students does not occur until the next school year. Their remediation will be our ESS and their supplemental service comes the next school year.

KDE staff comments:

Scott Trimble reminds the committee that Indiana has certain promotional requirements based on this that are different than us. It is grade level promotion, which makes the remediation a lot more sense. It is also a reason that they have a Fall program.

SCAAC member comments:

Kay Freeland is concerned that as educators, how can we wait a year if we have assessment results that they need help. I have a real problem with waiting to the next academic year, but this is personal. Can we afford to wait a year to assist these children?

1.5 Does the State Accountability System produce an annual State Report Card?

KDE staff presentation - Scott Trimble:

Principle sub-part 1.5 deals with the requirement to produce a state report card. Mostly what we are worried about here, and has a “W”, is the notion that we have some data elements that are particularly associated with teacher qualifications, the accumulation of that data and the determination of what percent of students in the lowest quartile or low SES schools as opposed to the highest quartile of low SES schools. What percent of students are taught by unqualified teachers, etc.? There are a few data elements that we are working with Educational Professional Standards Board (EPSB) to make sure we understand how to get that data and when we can report it. We want to comply with it.

SCAAC member comments:

Members had no questions or comments.

1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?

KDE staff presentation - Scott Trimble:

Principle sub-part 1.6 deals with how the Kentucky assessment and accountability system includes both rewards and sanctions based on their school performance judgments. We feel that we are in compliance.

SCAAC member comments:

Benny Lile asks if our definition of adequate yearly progress were not approved then does that come back and affect sub-part 1.6.

KDE staff comments:

Scott Trimble's thinking is yes, but this is not anyone's official thinking. If our definition of adequate yearly progress is not approved, it affects everything.

SCAAC member comments:

Benny Lile points out the NCLB definition of annual yearly progress is based on reading and mathematics and we base our rewards and sanctions on the total curriculum.

PRINCIPAL 2. All students are included in the State Accountability System.

2.1 How does the State Accountability System include all students in the State?

KDE staff presentation - Scott Trimble:

In regards to Principle sub-part 2.1, we feel Kentucky is very strong particularly in the area of including all students.

SCAAC member comments:

Members had no questions or comments.

2.2 How does the State define “full academic year” for identifying students in AYP decisions.

KDE staff presentation - Scott Trimble:

The definition of an academic year seems very straightforward. The academic year traditionally is the beginning of the fall term and to the end of the spring term. We found a definition on the National Center for Educational Statistics (NCES) WEB site that suggests that is the definition of an academic year. We feel it is fairly simple to define a full academic year. That is simply the students who are enrolled from the first day to the last day of the school year. We should look at principle sub-part 2.3 with this as there is a strong relationship between these two. Sub-part 2.3 asks how does the state accountability system determine which students have attended the same school or the same LEA for a full academic year. What is at issue here is that the federal statute says that the state shall hold schools accountable in calculating indices to determine adequately yearly progress for students that have been a school for a full academic year. When you get into the regulation, the state may not hold schools accountable for students who have not been enrolled for a full academic year.

Kentucky has a serious problem with this component. We have run some simulations. Matching fifth grade data with the previous years fourth grade students, we found several elementary schools that were less than 50% stable. Quite a few that were 50 to 60 percent stable. This excludes a lot of students from the accountability index calculation. The problem is not quite as bad at the middle school and high school level. The high schools tend to be more stable.

The State Boards position is clear. As it relates to the general population of students, we should continue our policy of picking a particular point in time, which is the first day of the testing window will be in your adequate yearly progress calculations or accountability index

calculations. If the student is a student with limited English proficiency (LEP), the student; (a) has to have been in your school for a full academic year, or (b) or the student has been in an English speaking instructional environment for two complete academic years, the students will be include in your adequately yearly progress calculations.

SCAAC member comments:

Benny Lile advises that most everybody is using the October child count date to rule testing. Will there be a reporting mechanism that indicates how many students are not tested. I'm not referring to the 95% issue, will Indiana produce a report that says 20%, 30%, 40% of students did not complete a full academic school year and are not included in AYP for specific schools.

KDE staff comments:

Scott Trimble feels that you are obligated to do that, but he has not seen a specific reporting requirement for that yet.

SCAAC member comments:

Benny Lile feels that if we take the definition of proficiency of the other five state we would get to proficiency in three years. These are the kids that need the most help and the transient issue is enormous everywhere. He knows of schools in his surround area that would only be accountable for 20 to 30 percent of the students in a given year. The students will show up in a district accountability formula but not in the school, assuming they have stayed in the district.

KDE staff comments:

Scott Trimble discussed the stability rates in the charts that appear on page 27. Some of the members were confused by what is contained in the charts.

SCAAC member comments:

Kay Freeland suggested that in addition to reporting the stability estimates as numbers add percentages for each of the items.

Benny Lile indicated that roughly half the schools would have 20 percent or more of their population not counting toward AYP.

Kay Freeland says this is a hard one as these numbers are better than a lot of states.

KDE staff comments:

Scott Trimble says that the next table appearing on page 28 is the current number of exclusions. This data demonstrates that policy is much more inclusive.

SCAAC member comments:

Linda Sheffield feels that down the line as schools do not make annual yearly progress, will people realize it is because we are including all these students that have not been the school for a full academic year while other states do not include them. It is going to make a

huge difference and its going to be difficult for on teachers where we are holding them accountable to a Kentucky standard that is different that rest of nation.

Benny Lile points out that in future, lets say after four years, and Kentucky schools are not doing well, and people realize than in other states 20 to 40 percent of the kids are not accountable, we are going to be asked why didn't we do the same.

Dale Campbell points out that you now have Kentucky 48th in the nation in successful schools.

KDE staff comments:

Scott Trimble says that state comparisons will be very tempting but NAEP will be the same and will be used to show state comparisons. Each state is setting their own proficiency standard very differently so it will be hard to compare based on the state test.

SCAAC member comments:

Roxie Tempus observation is that Kentucky is holding everyone to a higher standard. We don't want to lessen what we do. But probably we will be last in the nation again, but not really. How are we going to fight this and make the general public understand that we are tougher than rest of the nation.

Benny Lile feels, as does Scott Trimble, that NAEP will hold in the court of public opinion. If we do not hold our own in NAEP, then all of our high standards where we have tested more kids than anyone else will not have an affect on our argument.

H. M. Snodgrass says that this is the ideal scenario where we show continued improvement on NAEP. However the reality is that Kentucky will have 500, 600, 700 schools that are improvement schools and other states have 10 or 15, that is going to be the public measure of how well Kentucky is doing versus other states

Linda Sheffield asked if NAEP is going to use the same standard for exclusion.

KDE staff comments:

Scott Trimble responded that NAEP will use the same standards for exclusion nation wide and not base it on a state exclusion policy. They take a random sample of who is there on a specific data and are not concerned about students who have been there for a full academic year.

2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?

Discussion of Principle sub-part 2.3 is covered in the principle sub-part 2.2 discussion.

The committee took a meeting break at 10:40 a.m. and reconvened at 10:50 a.m.

PRINCIPAL 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.

3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?

KDE staff presentation - Scott Trimble:

Principle sub-part 3.1 (page 29) will also lead in to principle sub-part 8.1. How does each state assure that all students will be proficient in reading and mathematics by the year 2014. Our accountability system does bring all students to a proficient level of performance in reading and mathematics and five additional content areas, science, social studies, writing, arts & humanities, and practical living/vocational studies. We have a reasonable approach to all students being proficient.

SCAAC member comments:

Benny Lile's question is the state's definition of AYP require all students to proficient in reading/language arts and mathematics by 2013-2014? Under our system a school can be proficient without each student being proficient. It goes back to will they accept our definition of AYP?

KDE staff comments:

Scott Trimble says that New York and Massachusetts have a way of building an index for reading and an index for mathematics, but not bringing the two together into a single accountability decision. They capped their index at 100. You do not give additional merit for Distinguished or Advance levels as we do. We recognize an additional added value to the accountability index if you perform at the distinguished level. In 1992 we proposed a lesser weight for performance at the distinguished level. Our accountability index would have gone to 120 with the Department's initial recommendation. Certain advocates within the state moved the top end of the accountability index up to 140. Folks were interested in us being focused on the gifted and talented end of the distribution was valued more.

SCAAC member comments:

Suzanne Guyer asked that if their top is 100 then the way they show proficiency is that they have to have every child at 100. Since ours that is a compensatory system, when reach 100 not all students are necessarily at 100. They have approved for them is that there top is 100.

KDE staff comments:

Scott Trimble says that from our perspective they have approved a system that does not recognize the reliability of such assessments is not exactly one, it is .9 or .85 or whatever. The approved model does not recognize that there can be some measurement error in the system and that measurement error is more of a problem when your students score around the cut point than when your students score well above the cut point. None of states have passed an index like ours. We believe Massachusetts tried an index like ours but backed off.

SCAAC member comments:

Linda Sheffield feels that discussions at the National Association for Gifted Children is heated topic when you stopping those kids at fairly low levels.

Suzanne Guyer wants to know whether writing is considered a part of reading / language arts or is writing a separate content area?

KDE staff comments:

Scott Trimble feels that it does include Kentucky's writing. Other people think It just means reading and other kinds of reading skills like decoding. This is still open and we will find out in the negotiation phase. We have not proposed taking writing out.

At 11:52 a.m. the committee began a lunch break.

The meeting was reconvened at 12:40 p.m.

SCAAC member comments:

Benny Lile reconvened the committee.

Benny shared information that Scott provided about schools in assistance and their level of transient rates. Level 1, level 2 and level 3 assistance schools and the percent of transient students is in the mid 70's. So 25% of the students have not been in the school for a full academic year. This is an approximation with a 92% as a high to a 57% as a low.

Margie Bradford asked for a clarification and that is that 25% of students not having been in the school for an academic year is for schools in assistance.

Benny Lile points out if these numbers match this in other states then the nation maybe looking at exempting 25% of the student population. This means that the probable exemptions in other subpopulations like low social economic (SES), free and reduced lunch, often times special needs. Not only will states be exempting 25% of their students from AYP calculations, they will also be exempting some correlating number of those subpopulations which might make those subpopulations too small to count for AYP purposes.

The students will be tested but not being held in the accountability calculations.

Roxie Tempus asked if this will become clear people submit this and then come back to this committee in March.

Benny Lile outlined the submission schedule. The Department of Education will submit Kentucky's proposal on Friday [January 31, 2003]. Negotiations between the US Department of Education and the Kentucky Department of Education will happen by April 30, 2003, and issues will be resolved by May 30th. We will know what has been successful in May and then we will have to come up with solutions. In March we may be reviewing some of the negotiation items.

The committee entered a discussion on negotiations and how much leeway the feds will allow Kentucky.

Benny Lile felt that when the committee gathers here for the March meeting, there maybe some negotiation items that the committee will be asked to consider.

Linda Sheffield asked if the negotiation will involve this committee and then the State Board has to approve any negotiations? How is this going to work?

Benny Lile advises that the State Board will ultimately have to do it. Benny is assuming the KBE will give the Kentucky Department of Education some leeway, however the State Board will make the final decision.

Linda Sheffield asked if this committee should be making any kind of recommendation, like if this doesn't work try this or?

Benny summarized Linda's statements to should this committee recommend or contribute to a Plan B? How detailed should a Plan B be? You don't go in with a Plan B first. Should this committee be suggesting alternatives at this point in case there are certain aspects of the plan that do not make it through negotiations. Benny asked that Scott to comment.

KDE staff comments:

Scott Trimble advised that it is useful at this time for this committee to talk about alternates, but it is premature to place alternatives in the initial proposal.

SCAAC member comments:

Benny Lile indicated that he has not had the time to review the minutes. Would the membership prefer to put that off until the next meeting to approve those? Members advised a yes recommendation by speaking and moving their heads in a “yes” motion.

3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?

3.2a What is the State’s starting point for calculating Adequate Yearly Progress?

KDE staff presentation - Scott Trimble:

Principle sub-part 3.2a is the starting point for calculations for AYP. We will have to carry forward with our current accountability model where we establish unique starting points for each school and each subpopulation within a school.

SCAAC member comments:

Benny Lile points out that NCLB states that the starting point for must be the same for all like schools. Yet we say Kentucky meets the standard.

KDE staff comments:

Scott Trimble states that we are in full compliance. If nothing else works we will begin to think about the Massachusetts solution. It is real critical that this one work or we are back to the same set of numbers where 80% of the elementary schools will not make AYP. The percentage does not reflect any standard errors of measurement that might make the percentages slightly more favorable. If the feds do not accept our notion that this is inherently a more sound model and holds schools to the same standard that schools are at the same point by year 2014 and the steps schools need to take to get to that are individualize based on where each school starts etc. If we are not able to sell that one, we have a real difficult road ahead of us.

SCAAC member comments:

Linda Sheffield feels this is a tough one as we all agreed that the way Kentucky is doing it is a better way. We have the twelve (12) years of data to show that. But it sure sounds like the starting point is the same for all like schools.

KDE staff comments:

Scott Trimble asks the committee if we should add a statement to the affect that this allows all like schools to start from the same point and the schools academic achievement is at the same point because of whatever conditions that surround it etc. Scott confides that what the feds really mean is elementary, middle and high schools.

3.2b What are the State's annual measurable objectives for determining adequate yearly progress?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that the implementation of 3.2 is very dependent on principle sub-part 3.2a. If 3.2a does not work, then 3.2b must change. Scott points out that you can leave your performance objective the same for several years. This sounds odd, but what we are required to do to set performance objectives annually, but they do not have to increase annually. They have to increase at least every three years. Two states not far north of Kentucky decided to increase their goal every three years for the first three phases. They will increase their goal in 2005, 2008, and 2011. They then will increase the goal in 2012, 2013, and 2014.

SCAAC member comments:

Members had no questions or comments.

3.2c What are the State's intermediate goals for determining adequate yearly progress?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that principal 3.2c is like sub-part 3.2b. Kentucky determines its progress biannually. We make accountability decisions biannually.

SCAAC member comments:

Members had no questions or comments.

PRINCIPAL 4. State makes annual decisions about the achievement of all public schools and LEAs.

4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?

KDE staff presentation - Scott Trimble:

Scott Trimble recalls that the state will make annual accountability decisions about whether schools have met AYP. This is another point where the Local Education Agency (LEA) issue comes up. Kentucky will need to have a parallel district accountability system that we dealt with in 3.2. We need to discuss the consequences. Annual decisions about whether or not each school has made adequate yearly progress. Kentucky's system is a biannual system; we make the decision on two years of data for all of the reasons listed. It is a more stable statistic. It avoids issues like the good class bad class syndrome. It gives schools a more reasonable amount of time to react and try to address the problems that are identified within that school performance judgment. We think that a reasonably good argument for staying with the biannual system.

We are pretty sure that we will have to answer the question what are we going to do annually. Our answer is that annually we will report all data, we do tell schools that are on track to meet their goal. In addition we have agreed to do two additional things. One is that in the odd numbered years, the mid biannual reports, we would continue to do scholastic audit/review activities helping schools that are below target or not likely to meet the goals that we have asked them to meet. Secondly we have offered that at the end of two years of not having met adequate yearly progress, we will go ahead and implement the sanctions or requirements of NCLB that would apply in the third year. We would implement them a year early and over the whole biennium.

SCAAC member comments:

Roxie Tempus asks how this is this different than what we currently do.

KDE staff comments:

Scott Trimble says that it formalizes the scholastic review process that would occur in off years. We would move from a voluntary scholastic involvement to writing regulation that under certain circumstances at the mid year, or the odd number years, the Department would automatically do a scholastic review. It also is different in that the consequences that come out of NCLB for year three (3) of not meeting AYP are automatically moved up to year two (2). In year two it would go optional to mandatory for a review team. The NTAPAA will help us define those circumstances.

SCAAC member comments:

Linda Sheffield asked if it was a problem not mentioning the LEA's in the consolidated work plan?

KDE staff comments:

Scott Trimble responds that we probably need to mention that we are going to establish a parallel district accountability system.

SCAAC member comments:

H.M. Snodgrass brings up an important point, which he says is not appropriate to put in this document, but when reference is made to rewriting regulation regarding district accountability. The whole of issue of who selects principals needs to be readdressed. This is going to be a issue brought forward when and if that time comes.

KDE staff comments:

Scott Trimble agrees and advises that there will need to be some language related to the consequences at year five (5) and NCLB that may/will require some statutory change. The change will not necessarily be the principal but who has control of the curriculum.

PRINCIPAL 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.

5.1 How does the definition of adequate yearly progress include all the required student subgroups?

KDE staff presentation - Scott Trimble:

Scott Trimble says that this is a lot about sub-part 3.2 and the two principals overlap. We have stressed our inclusion policies where we explain that all students are required to participate {regulation 703 KAR 5:070}. Student sub-populations

SCAAC member comments:

Members had no questions or comments.

5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?

KDE staff presentation - Scott Trimble:

Scott Trimble feels this is pretty much the conversation we had in principle sub-part 3.2. Scott added some additional comments on district accountability. The district accountability model will mirror school accountability. We will combine the elementary, middle and high school data together to produce a district growth chart and subpopulation growth charts just the way we do for a K-12 school. What might not be so obvious is that when you have a number of small schools at the elementary level, schools under Kentucky's rule of ten, needing ten (10) students per grade per subpopulation maybe too small to be included in the accountability decisions at the individual school level. Ohio ran some analysis and as they aggregated the school data up to the district there were enough students to make an adequate yearly progress decision for the districts. It is possible for every school in a district to meet AYP because all of their subpopulations were too small to be included in any calculations. When the schools data is aggregated together, the district has enough data in the subpopulations and the district does not meet AYP. This is complexity we learned from Ohio. At this time we do not know what affect this has on Kentucky because there are a lot of single high school districts and the subpopulations are large enough to report.

SCAAC member comments:

Members had no questions or comments.

5.3 How are students with disabilities included in the State's definition of adequate yearly progress?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that Kentucky clearly meet the students with disabilities requirement. We include all students in our accountability system. Students with disabilities participate without accommodations, with accommodations that are consistent with the delivery of instruction or in the alternate portfolio. People have questions about the reading accommodation with the reading assessment. The Department's perspective is that reading is a measurement of one's ability to comprehend what is on the printed page however how that material is delivered. Kentucky's assessment does not go in the direction of measuring specific decoding skills or vocabulary skills, etc. in its comprehension. Not everyone is comfortable with this so we will be producing the data that show students with disabilities who take the reading assessment with the reading accommodation. They do not outperform the general population. They perform very similar to students with disabilities who take the assessment without the reading accommodation. That is not to argue that their scores are not different than they would be if they took it without the reading accommodation.

The more controversial point nationally is the use of the alternate portfolio. In Kentucky we use the alternate portfolio at the fourth (4), eighth (8) and the last year of high school or twelfth (12) grade. We use the fourth grade score which is derived from a subset of our academic expectations and includes the measurement of both cumulative skills and communication skills. Kentucky is going to argue that it has a reading and mathematics component and the fourth grade portfolio suffices along with the eighth grade portfolio to measure students with this particular instructional program across grades 3 through 8. We do not know if this is going to fly as well as we hope it does.

The alternative is to try to setup up an alternate portfolio at grades 3, 4, 5, 6, 7, and 8 specific to each grade. This is a difficult task to accomplish and not nearly as meaningful as trying to build a portfolio that is cumulative from P-4 to grade 8.

The way regulation and statute currently read, and we are talking about .7 percent of our student population in this category, it would be illegal or they wouldn't accept us thinking a proficient alternate portfolio was anything but novice. They would argue that we are measuring a different standard and different content and could not be thought of as being the same thing as proficient performance in the general curriculum. This has drawn more comment from across the nation that anything that they have put in regulation. They have put in regulation that you can only have .5 percent of your student population scored to a different standard, but nothing is excess of that. Most people believe that criteria, whatever the ceiling is going to be, needs to be based on whatever percent of your students are legitimately placed in an alternate curriculum; not on some sort of arbitrary number. Washington does not feel this matter is settled. They are supposed to come back with some non-binding guidance that will allow us to do something different than what is in regulation and law.

SCAAC member comments:

Eleanor Mills asked members to go to page 40 in consolidated work plan. Kentucky's IEP forms when accommodations are used. The accommodations do not read like what is in the consolidated work plan. Eleanor feels that the accommodations read like the English as a second language (ESL) accommodations.

KDE staff comments:

Scott Trimble advised that the consolidated work plan needs to be updated. The LEP accommodations need to be moved and the IEP accommodations need to be added.

5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?

KDE staff presentation - Scott Trimble:

Scott Trimble advised that we discussed our policy related to students with limited English proficiency and they should be listed in the correct place in the consolidate work plan. Kentucky's previous policy was that students who had been in an English speaking instructional environment for two academic years would have been assessed and accounted for in the accountability index. Because of negotiations related to past waivers of old laws, we have moved to requiring that we be accountable for students who have been in a school for a full academic year. This is in large part based on advice from local staff that we should make the academic year as to allow students as much time as possible to become acclimated to the English language and to our school setting.

SCAAC member comments:

Members had no questions or comments.

5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that we covered the minimum number of students which is the same policy as in principle sub-part 3.2. Scott asked committee members if they were comfortable with the minimum number students for accountability reporting.

SCAAC member comments:

Benny Lile wanted to know what other states are doing. Are most states congregating around the 30 number?

KDE staff comments:

Scott Trimble feels that most states are congregating around 30 students. People in some states have proposed numbers in the 50 and 100 range. Massachusetts is attributed with the number 50. In fact they do not use the number 50; they begin to include subpopulations in adequate yearly progress calculations if there is 20 students or more in a school across all the grades in that school. From 20 to 50 they use different levels of standard errors of estimate to put around the mean. Ohio did some very creative things in a lot of places. They used one minimum n-count which was 30 for most subpopulations. They build a rationale to use a higher minimum n-count for students with disabilities. It had to do with a lot of arguments about the population. Scott believes they used a different minimum n-count for the district than for schools.

5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that this is related to the family education rights to privacy act. There is state language and federal language that has to be adhere to and they parallel each other pretty well. Kentucky's policy is that if there are fewer than 10 students in subpopulation we will not report data because there is a chance that one could figure out the scores.

The other condition is that if a subpopulation all score at the same performance level, we will not report the score. Some criticize, that we will not provide information. So if all students distinguished they will not be recognized.

SCAAC member comments:

Members had no questions or comments.

PRINCIPAL 6. State definition of AYP is based primarily on the State's academic assessments.

6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?

KDE staff presentation - Scott Trimble:

Scott Trimble feels that we are in compliance since we calculate academic indexes for all content areas.

SCAAC member comments:

Members had no questions or comments.

PRINCIPAL 7. State definition of AYP includes graduation rates for public high schools and an additional indicator selected by the State for public middle and public elementary schools (such as attendance rates).

7.1 What is the State definition for the public high school graduation rate?

KDE staff presentation - Scott Trimble:

Scott conducted a discussion on Kentucky's dropout rate. He asked the members if they have ever been involved in a discussion with others on the fact that Kentucky's dropout rate is only 5% and that cannot be right. Scott advises that Kentucky is calculating dropout rate absolutely correct because the National Center for Education Statistics (NCES) told us to do it this way. The Department has tried to describe dropout rate where student dropouts is the numerator and the denominator is the sum of the ninth (9), tenth (10), eleventh (11) and twelfth (12) grade student population. This dropout rate came about since states have not been able to agree on a calculation. Old statistics such as "holding power", the percent of graduates divided by the ninth (9) grade enrollment, provided a flawed statistic because the "in" and "out" migration of students must be equal. The calculation becomes more distorted when ninth (9) grade student retention is high. Holding power has the tendency to under estimate what the real dropout rate is. The National Center for Educational Statistics realized that there was no creditability when the holding power dropout rate was only 5% since everyone knows it is higher than that. NCES has done a number of studies and have compared this against eight different ways of calculating dropout rates. You take the number of graduates from the 2002 school year (numerator) and add the number of high school seniors who have dropped out in 2002, then add the number of students in the eleventh (11) grade who dropped out in 2001, the number of tenth (10) grade students who dropped out in 2000, and the number of ninth (9) grade students who dropped out in 1999 to become the denominator. You then get a graduation rate that is in the range of 80% to 83% which is a closer estimation of a dropout rate. The NCES definition for dropout that Kentucky has adopted "is any student who leaves the school and the school can not confirm that student has reentered an appropriate educational setting, that being a private school or another public school". The other two conditions for not classifying a student as a dropout are that the student graduated or the student died.

SCAAC member comments:

Dale Campbell asked under this definition could the student be a dropout two times.

KDE staff comments:

Scott Trimble responded yes.

SCAAC member comments:

Linda Sheffield pointed out that it could be more than two times. If the student drops out, then reenters in the following year and again drops out and reenters in a third year and drops out then the school, for drop out calculations, must view this as a student dropping out three (3) times.

KDE staff comments:

Scott Trimble advises that Kentucky does not have a system in place that permits going back to correct dropout data statistic so that the student is only counted once.

SCAAC member comments:

Linda Sheffield asks for confirmation that when parents sign a form that they are home schooling their child, then the student is not considered a dropout. Also, are students who pass the GED considered a dropout?

KDE staff comments:

Scott Trimble advises that with the parent(s) signature a student who is withdrawing to a home school is considered transferring to a non public school setting. The Department understands that some students are truly home school and for others this is not the case. The Department however is powerless to do anything about this situation.

Students who pass the GED are still considered a dropout. According to NCES, if a student is enrolled in a secondary GED program then the student is not a dropout. However, two things are supposed to happen. One is the student eventually earns a GED which doesn't prevent the student from being a dropout. The other is that the student completes a secondary like course of work and earns a certificate that is what keeps the student from being a dropout.

In the new system NCLB only allows us to count regular high school diplomas as graduates. So in the new scenario the secondary GED student with a certificate will be considered a dropout. An Alternate Portfolio student who receives a certificate of completion is considered a non-graduate under NCLB guidelines. The Department is not comfortable with either of these situations.

The Kentucky Board of Education has asked KDE on how to substitute the graduation statistic in the Accountability Index calculation for the current dropout statistic. We will be working with the National Technical Advisory Panel for Assessment and Accountability (NTAPAA) to accomplish this in the current Kentucky system.

7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that we have to worry about vocabulary just a little bit. NCLB views graduation rate as an additional academic indicator while Kentucky views this as a non-academic indicator. So at the middle school level Kentucky will argue that attendance, retention rates and dropout rates are additional NCLB academic indicators that are part of Kentucky's accountability system. Kentucky will expand the language to emphasize that

Kentucky has five (5) additional real academic areas that are Science, Social Studies, Arts and Humanities, Practical Living / Vocational Studies, and Writing.

At the elementary level Kentucky includes attendance and retention rates for grade 4, grade 5 and up. There is no retention in the primary program. Scott Trimble feels that we clearly are in compliance.

SCAAC member comments:

Benny Lile asks about the earlier conversation that Kentucky will advance the argument that writing is part of reading and language arts. In the document it is specified as reading / language arts and mathematics plus other content areas where writing is listed.

KDE staff comments:

Scott Trimble advises that the intent was to list the just the four content areas. However, we will have to work with the way it is currently in the Consolidated Work Plan. {Text appears on page 51 of the Work Plan}.

7.3 Are the State's academic indicators valid and reliable?

KDE staff presentation - Scott Trimble:

Scott Trimble advises that this addresses two valid and reliable issues. One relates to academic indicators and we will site the technical reports, the HumRRO studies which deal with student classification, school classification accuracy decisions etc. Another point will be the reliability of the non-academic indicators or the other academic indicators (attendance, retention rates) which Kentucky will site its collection procedures and data monitoring etc.

SCAAC member comments:

Linda Sheffield points out that the example indicates that academic indicators are consistent with national recognized standards. She does not see anything in their about that. The State did a whole lot with making sure that state standards mesh with national standards.

SCAAC member comments:

Scott Trimble asked that KDE staff note so that it this is added to the work plan. We should site the standard setting documentation.

PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.

8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?

KDE staff presentation:

Scott Trimble described the NCLB model for measuring Adequate Yearly Progress (AYP). Reading/language arts and mathematics are measured separately. Each will have their own line. In order for a school to make AYP in reading the school as a whole needs to be above that line. Each of the subpopulations must also be above the reading line. The school must be above the mathematics line as well as each of the school's subpopulations must be above the mathematics line. For each of the subpopulations in each of the content areas we will need to illustrate that we tested 95% of the population. This is different than be accountable for 95% of the population. There is about 35 different ways that you can fail to make AYP and the consequences are all the same. Kentucky's perspective on this is that our accountability index is seven content areas wide and is a more stable, a more reliable statistic and Kentucky can provide evidence that it produces reasonable good school accountability classifications decisions. More important for Scott is that it causes the school to teach all seven content areas that Kentucky references in KRS 158.6453. We need to deal with an accountability system that encourages the teaching of the entire curriculum to all students, not some of curriculum to some of the schools that are not demonstrating successful adequate yearly progress.

We are very concerned and we want the US Department of Education to accept the Kentucky model. If this one falls apart we will be calling a number of emergency meetings as we will need a lot of input as what we should do.

SCAAC member comments:

Benny Lile felt that with all the issues of NCLB this is the main one that scares him. The Kentucky model averages mathematics and reading together with the other content areas and non-academic data.

Roxie Tempus reminds the group that we report results by content area and for accountability reasons we put it all together. She hopes that they recognize that we are doing what they ask and Kentucky is taking accountability to the next level.

Benny Lile asked Scott Trimble if any other state has gone in the direction that Kentucky is taking with accountability?

KDE staff comments:

Scott Trimble advises no other state has gone in this direction yet, but there are several other states who feel just as strongly about this as Kentucky does. One of things that eventually will have to be put on the table that 500 schools will not make AYP and about 100 schools making AYP in a simulation. The tendency for those schools who make AYP are that they have fewer subpopulations to be accountable for. This has real implications for how you teach in those schools versus how you teach in schools that do not make AYP. There is some real equity issues and some real instructional issues,

SCAAC member comments:

Benny Lile asks if any states are doing a two dimensional model where schools are held accountable under NCLB and also under the Kentucky model.

KDE staff comments:

Scott Trimble advises that this is similar to what Ohio is proposing. With a two dimension model, the question becomes which dimension of consequences, state or federal AYP becomes most important.

SCAAC member comments:

Benny Lile asks if this approach will be a valid Plan B should they not accept the current Kentucky model. We currently do that with dropout, novice.

KDE staff comments:

Scott Trimble advises that this might be the next two or three steps we would discuss if they do not accept our model.

SCAAC member comments:

Suzanne Guyer understands what the pie looks like. How will the Department explain how the non-tested grades that are now tested will fold into the pie.

KDE staff comments:

Scott Trimble responds that in folding grades three (3) through eight (8) in reading and mathematics we will come back to this committee for advice. One of the proposals that we have talked through with NTAPPA is to extrapolate the cut points from the grade 4 and grade 7 reading and the grades 5 and 8 mathematics and apply these to the new grades we are testing with the augmented NRT. We will then have some new numbers and we will need to talk with you on who to build them into the accountability system. The grade 3 (end-of primary), 4 and 5 reading is three times as many reading scores as used to be. We have a percent proficient, a percent distinguished, a percent apprentice medium etc., just at three times as many grades. We may decide to use the three grades to develop a reading academic index that we believe should be very similar to your reading index from the prior year. A second possibility is that when we put the 3rd and 5th grade into the reading index and the 3rd and 4th grade into the elementary mathematics index, a group like this may say that this has three times as many students involved as the other content areas. Should the amount of the pie change to recognize the number of participating students? Then the discussion becomes where does one take away other parts of the pie.

SCAAC member comments:

Suzanne Guyer points out that the index we are currently proposing does not take into consideration the additional grades of testing. Suzanne suspects that the feds will ask how the other grades will count in our accountability calculation. Otherwise we are not measuring those other non-tested grades, while we are going through the exercise to test, we are not counting them.

KDE staff comments:

Scott Trimble feels that the first solution that was proposed is one that allows us to say that all our growth lines and expectations that we have set up to remain stable. If we go to the second possibility, which is redistribute the weight around the pie, then we would come back with a proposal that we would readjust the baselines and growth indexes to reflect those new weights.

In the NCLB model when you add the new grades in reading and mathematics, you treat it as if you are testing more students.

SCAAC member comments:

Linda Sheffield advises that we are not consistent with the four content areas issues and writing. The previously identified fix also should be applied to page 53 of the workbook.

PRINCIPLE 9. State Accountability System is statistically valid and reliable.

9.1 How do AYP determinations meet the State's standard for acceptable reliability?

KDE staff presentation - Scott Trimble:

We site our technical documentation, HumRRO reports and NTAPAA.

9.2 What is the State's process for making valid AYP determinations?

KDE staff presentation - Scott Trimble:

Sub-part 9.2 is so similar to 9.1 and we site our technical documentation from HumRRO and NTAPAA validity research.

SCAAC staff comments:

Members had no questions or comments.

9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?

KDE staff presentation - Scott Trimble:

Principle sub-part 9.3 is the item that Suzanne Guyer and we were discussing earlier. We will implement the interpolated augmented reading and mathematics assessments at the grades that we do not currently administer them right now. The model for interpolated or extrapolating the cut scores for the new grades will be simply drawn from what we do at the

places we have empirically set the standards. The policy considerations that we just discussed are how we would begin to incorporate these into the indexes.

SCAAC member comments:

Eleanor Mills asks if we should add writing on page 58.

KDE staff comments:

Scott Trimble advises that we will search the entire work plan looking to correct the writing reference. We need to make it consistent through the entire document.

PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.

10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?

KDE staff presentation - Scott Trimble:

Participation rate is an interesting question for a lot of states. We hope this will not be interesting for Kentucky. We are asked how we will calculate the 95% tested rule. This is not an issue under Kentucky policy as we are accountable for all students. Other than the limited English proficiency (LEP) population, we do not need to worry about this as the information is captured on the CATS student response booklet.

In reviewing the NCLB literal language, this could become very complicated. The situation just described where we are required to test all students but we would only be required to use 95% in AYP calculations. We would test all 20 students and only be required to include 19 students for AYP calculations. The question becomes which 19 do you include or which student do you not include in the AYP calculations?

The Department has real issues with academic year and the non-ability to exclude LEP students. Under NCLB language, you will be required to test the LEP student even though the student has not been in the school for a full academic year, yet you will be able to exclude the student from the accountability calculations. It makes no sense to test students who have spent no time in an English speaking school.

How do we calculate and the 95% rule. Not an issue under KY policy. If we have to go NCLB who do we use in AYP calculations.

Professional development to determine if test.

SCAAC staff comments:

Members had no questions or comments.

10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?

KDE staff presentation:

Scott Trimble stated that the response to Principle sub-part 10.2 is the same as the response to sub-part 10.1. Scott asked committee members if they had any further questions for sub-parts 10.1 and 10.2.

SCAAC staff comments:

Members had no questions or comments.

Benny Lile asks if committee members have any other questions for Scott on Principle sub-part 10.1 as well as the other Principals.

KDE staff comments:

Scott Trimble advises that one would think that for the student population that you are accountable for, you would only have to test 95% of those students. This is not the answer. You will have to test all of the students even if it means filling out the test booklet and student stares at it.

SCAAC staff comments:

Benny Lile asks the committee if there are any other No Child Left Behind questions, clarifications. There are none. Benny asked that when the workbook plan is sent to Washington if all the committee members could get an official copy of what is sent as soon as possible.

It was agreed that this information will be posted on the WEB and Catherine Wright will notify members of the WEB location (URL). Because of the size of the document and attachments the following members are to have a paper copy mailed to them: Margie Bradford, Suzanne Guyer, and Varetta Hurt.

KDE staff comments:

Scott Trimble anticipates by March 28, 2003 that we may not have any feedback, we will know where we are in the process. There definitely will be a report to you by March 28th.

SCAAC staff comments:

Margie Bradford asks that because of the length and complexity of the issues in many of the documents that the committee is asked to work from, could they be distributed prior to the meeting.

KDE staff comments:

Scott Trimble advises that KDE staff are not under any illusion that this is easy and if there is any way to get information out to you in a reasonable time ahead of the meeting. Unfortunately, a lead time of a week or two did not exist for NCLB.

SCAAC staff comments:

Benny Lile shares with members that the webcasts of state board meetings are now available to the members. One can access the Department's web site (www.kentuckyschools.org) and view the meeting on the PC/MAC or listen to the audio. The next Kentucky State Board meeting is February 5 and 6. Assessment issues are on the State Board agenda for the morning of February 5.

4. Change in Testing Regulations for Double Promotion

Benny Lile

KDE staff presentation:

Scott Trimble reviewed with the committee the Kentucky Department of Education testing regulations for students who are double grade promoted. Department policy is to test the student at the grade level they were promoted beyond and the grade level they currently are in. If a student is double promoted from end-of-primary to grade 5, the student should then be assessed with the CATS assessments for grade 4 and grade 5. Students at grade 7 who are promoted to grade 9 are currently required to take the KCCT assessment at grade 8 and the CTBS-5 / NRT at grade 9.

The policy has been in place since 1994 or 1995. The policy has begun to be questioned for a couple of reasons. There are two cases where a young students for reasons that were not anticipated at the time are being double promoted. The feeling is that two things should be considered. One is that this is a lot of testing for the young student. Secondly, when the student is identified as gifted and talented we need to align the accommodations that are part of the gifted and talented plan. That plan is not recognized in regulation as a reason or permission to use accommodations in assessment component. The two policies are under reconsideration by the Department.

SCAAC member comments:

Benny Lile advises that the Department brought the issue to all District Assessment Coordinators (DAC's) approximately two weeks ago. Basically it said that unless the Department hears anything different from DAC's, that it will no longer be necessary to test double promoted students at the grade level they are bypassing. Benny was in the middle of a principals meeting when he received the communication. He immediately took it into the principals and received their reaction which was a lot of reservations. The executive board of the Kentucky Association of Assessment Coordinators (KAAC) met last week and they requested that it not go forward as it is planned.

Some of the things that came up. The high school principal said that from an accountability number point of view this would be great. On block schedules, specifically, there are any number of kids who walk out in the spring as a sophomore, come back and do one semester as junior, then they are a senior and they graduate. The test they skip is grade 11 which is mathematics, science, social studies and arts and humanities. By and large these are not the strongest students. They get behind, then they get caught up. Any number of students would be exempt based on how this reads. The elementary principals in the district could only remember two cases in twelve (12) years where elementary students had to double test. The question is this that big of a deal? The principals began to raise the manipulation piece that it could start.

The Kentucky Association of Assessment Coordinators (KAAC) has unanimously adopted a recommended to the Kentucky Department of Education that the current policy remain in affect with a policy modification to have a specific waiver process where schools can apply for a waiver almost like what occurs with a medical waiver. If a student is double promoted for do cause and this would be an undo hardship the test the student with two years of tests in one setting, then that school could apply for a waiver specific to that case. KAAC though a blanket exemption for all students double promoted is automatically exempt from the years test they skipped over would not be a wise policy.

It is sort of like NCLB. On the surface it sounds good, but when you dig deeper and realize all the implications, then maybe it is not so good.

Varetta Hurt advised that she was not aware of any double promotion students taking both grade level tests.

Roxie Tempus chimed in that she was not aware that students are supposed to take both tests. She felt that schools are getting around this policy even though this is stated in the District Assessment Coordinators guide.

Benny Lile feels that this would only negatively impact students promoted from the third grade to the fifth grade since this is a lot of testing for a young student. Normally at the other double promotion grades the student will be assessed with the NRT and KCCT.

Linda Sheffield and Margie Bradford feel that most District Assessment Coordinators are not aware of this policy.

SCAAC Motion:

Linda Sheffield made the motion that SCAAC adopt the KAAC recommendation to the Kentucky Department of Education that double promoted students be tested at both grade levels and a specific waiver process be added to the policy where schools can apply for a waiver.

Dale Campbell and Eleanor Mills seconded the motion. There was no discussion, the committee voted, and the motion passed unanimously.

ADJOURNMENT

SCAAC Motion:

Dale Campbell and Eleanor Mills jointly made the motion to adjourn the meeting. All members seconded the motion. The members voted and the motion passed unanimously.

The meeting ended at 2:20 p.m. EST.